

REMARKS

Claim Rejections Under 35 U.S.C. § 112

Claim 9 is rejected under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis for “the destination uniform resource locator.” The Office Action correctly notes that claim 9 should depend from claim 8, and consequently this amendment is now entered.

Claim 9 now depending from claim 8, as currently amended, is now believed to be allowable over this rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 7 – 16 are rejected under 35 U.S.C. § 103(a) as obvious and unpatentable over Heintz et al., U.S. Application No. 2001/01025253 (“Heintz”), in view of Ross, Jr. et al., U.S. Patent No. 6,993,572 (“Ross”).

A prima facie case of obviousness cannot be established unless all of the claim elements are taught or suggested by the cited references. See M.P.E.P. § 2143. The references relied on in the Office Action fail to teach, show, or suggest all of the claim limitations of the current invention. Specifically, the references fail to teach, show, or suggest the limitation, as claimed in claims 7 and 16, of, “a reward estimator for the calculating and tracking of site owner points awarded to the users that performed the qualifying activity required by the promotion, and for calculating rewards for the site owner corresponding to the qualifying activity completed by the user in response to the promotion.”

Heintz, the primary cited reference, discloses a system for awarding points to individuals for a variety of activities including: browsing a website, completing a purchase, and the online activities of referred members. This application is in no way

directed to the manner in which affiliated website owners are rewarded for the activities completed by users who complete qualifying activities on affiliate websites. That is, according to the claimed invention, a site owner offers reward points to users to entice the users to perform a qualifying activity on the site of an affiliate entity, and the site owner is also rewarded for providing such enticements if the user completes the qualifying activity.

While Heintz is cited as having disclosed the claimed reward estimator, previously found in claims 7, 12, and 16, in paragraphs [0017], [0021], neither of these paragraphs discloses rewarding the owner of an affiliated website. Paragraph [0017] discloses the process of awarding points to a user for the user's activities, and paragraph [0021] discloses awarding bonus points to a user for the activities of a different referred user. Neither of these paragraphs, nor any other paragraphs in this reference, disclose the specified claim limitation.

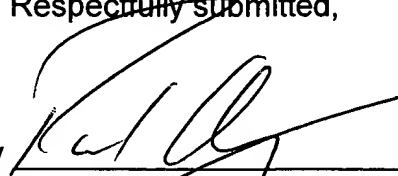
Further, Ross, as cited in the Office Action, in no way discloses the reward estimator of claims 7 and 16. Because neither Heintz, nor Ross, alone or in combination disclose this limitation, claims 7 and 16 should be allowed. Claims 8-11, 13-15 are allowed because they depend from what is believed to be allowable claim 7.

Applicants believe that the Examiner's rejections set forth in the August 28, 2006 Office Action have been fully overcome by the remarks and claim amendments presented herein, and that the present application is in condition for allowance. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

No fee is believed due in connection with the filing of this Amendment. If, however, any fee is deemed necessary, authorization is hereby given to charge such fee, or credit any overpayment, to Deposit Account No. 02-2135.

Respectfully submitted,

By



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